IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO.17252 of 2006

DATE OF DECISION: November 2, 2006

Sunil Kumar

….Petitioner

VERSUS

State of Haryana and others

…..Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S. BHALLA

PRESENT: Shri HPS Bhinder, Advocate for the petitioner.

Viney Mittal,J.(Oral).

The petitioner has approached this Court for issuance of directions to the respondents to allow the petitioner to complete his lectures in the current session in Trade of Welder in respect of admission No.154 as a drop out student for the year 2005-06 which ended in July 2006 and allow him to admit as a student as such in the session 2006-07 for the purposes of completing his lectures to the extent of 80% as a shortfall of 5% of deficiency in his previous academic year. In this regard, the petitioner relies upon Rule 12.4 of the Prospectus issued for the year 2005-06.

After haring the learned counsel for the petitioner and taking into consideration the averments made by him in the present petition, we find that before approaching this Court, the petitioner has not served any notice of demand of justice upon the respondents claiming relief which is sought before this Court.

It is well settled that a person seeking a writ of Mandamus has to first approach the authorities through a notice of demand of justice. In this view of the matter, we find that the prayer made by the petitioner in the present petition is wholly pre-mature.

The present petition is disposed of as pre-mature with a liberty to the petitioner to approach the respondents at the first instance through notice of demand of justice, claiming relief which has been claimed in the present petition.

A copy of the order be given dasti on payment of usual charges.

(Viney Mittal)
Judge

November 2, 2006
KD

(H.S. Bhalla)
Judge